

ORIGINAL

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED
AUG 14 2015
CLERK, U.S. DISTRICT COURT By _____ Deputy

UNITED STATES OF AMERICA

v.

DAVID GODINEZ (03)

No. 4:15-CR-152-A

FACTUAL RESUME

INDICTMENT: Count One: Conspiracy to Possess with Intent to Distribute a Controlled Substance (methamphetamine) (in violation of 21 U.S.C. § 846, and 21 U.S.C. §§ 841(a)(1) and (b)(1)(B))

PENALTY: \$5,000,000 fine - not less than 5 years imprisonment and not more than 40 years imprisonment, or both such fine and imprisonment, plus a term of supervised release of not less than 4 years.

MAXIMUM PENALTY:

\$5,000,000 fine and not less than five (5) years nor more than forty (40) years imprisonment, plus a term of supervised release of not less than 4 years. If the defendant violates any condition of supervised release, the Court may revoke such term of supervised release and require the defendant to serve an additional period of confinement. Further the Court must impose a Mandatory Special Assessment of \$100.00.

ELEMENTS OF THE OFFENSE:

The essential elements which must be proved beyond a reasonable doubt in order to establish the offenses charged in Count One of the Indictment are as follows:

First: That two or more persons, directly or indirectly, reached an agreement to distribute or possess with intent to distribute a controlled substance, as charged in the indictment;

Second: That the defendant knew of the unlawful purpose of the agreement;

Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and

Fourth: That the overall scope of the conspiracy involved at least 50 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

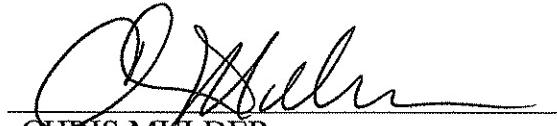
STIPULATED FACTS:

On Since approximately October 2014, James Gatlin received large quantities of methamphetamine ~~usually on consignment~~ from David Godinez and others. David Godinez usually received larger quantities of methamphetamine from Ismael Rico, often in the pound to multi-pound range and usually on consignment. In this manner, James Gatlin, David Godinez and Ismael Rico conspired with each other and others to possess with intent to distribute more than 50 grams of methamphetamine.

SIGNED this 14 day of July, 2015.



DAVID GODINEZ  
Defendant



CHRIS MULDER  
Counsel for Defendant